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Patent

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Heinz Boss
Serial No: 09/426,023
U.S. Filed: 10/25/1999
For: APPARATUS FOR COLLECTING PRINTED PRODUCTS
Examiner: Jeffrey A. Shapiro
Art Unit: 3651

MAIL STOP APPEAL BRIEF-PATENTS
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

S I R:

This Reply Brief is submitted in response to the Examiner's
Answer dated November 24, 2004.

REMARKS

Applicant respectfully disagrees with the Examiner's discussion of the reference to Harris, et al. which was relied on in rejecting the claims under 35 U.S.C. 102(b).

Specifically, under item 2.5.), the Examiner refers to a feature recited in claim 1 of the present application by providing it with a reference numeral from the reference to Harris.

Thus, the Examiner states that Harris discloses "a drive unit (20) comprised of at least one servo drive and a collector chain drive connected to the collector chain *and configured to control the first servo drive* to a signal line in a synchronously timed manner". In addition, with respect to the feature of the present application as claimed in claim 1 according to which "*the first servo drive is configured to drive additional units of the apparatus*", the Examiner refers to the reference to Berger.

Consequently, the Examiner relies on a combination of the references to Harris and Berger as well as the claim language of the present application in order to arrive at a result which cannot be obtained from either the reference to Harris and or

from the reference to Berger individually.

Applicant respectfully submits that the argument presented by the Examiner are not permissible.

The reference to Harris discloses a solution in which in a saddle stitcher the correct product is selected by means of a chain movement sensor at the conveyor chain, so that the product then can be printed in the address ink jet station at the intended location. Thus, the reference deals with a production sequence which makes it possible to print the intended address at the correct location on the selectively gathered products. Of course, a chain movement sensor is provided for this purpose, wherein the chain movement sensor detects the speed of the conveying chain and supplies it to the higher ranking line control data processor which provides the address ink jet station with the printing command at the correct time. The same procedure occurs in the signature feeders (14a-d).

A servo drive is not required for this production sequence and is also not disclosed or suggested by the reference to Harris.

Clearly, the solution provided by Harris has nothing in common with the apparatus according to the present invention as

claimed.

In this connection, applicant respectfully refers the Board to page 4 of the present application as originally filed where it is stated that, "for achieving a clean and distortion-free addressing of the printed products with the above-mentioned ink jet device, an oscillation-free travel of the collector chain is important. At certain speeds, the feeders or the translatory movements of the stitching carriage and the trimmer produce oscillations which are transmitted to the collector chain and finally to the printed products. Such oscillations lead to distortions of the printed addresses."

Therefore, citing the reference to Berger is not useful to support the rejection of claim 1.

In addition, the passage cited by the Examiner in paragraph 11.) on page 5 of the Supplemental Brief according to which "electronic means for adjusting a speed of the collector chain according to the different chain spacings" are provided, does not advance a better argument against claim 1 of the present application.

Accordingly, it is respectfully submitted that the apparatus set forth in claim 1 of the present application is patentably

distinct over the art of record.

Respectfully submitted,

By *F. Kueffner*
Friedrich Kueffner
Reg. No. 29,482
317 Madison Avenue, Suite 910
New York, New York 10017
(212) 986-3114

FK:aw

Dated: January 21, 2005

MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450, on January 21, 2005.

By: *F. Kueffner* Date: January 21, 2005
Friedrich Kueffner